

PEARSON, J.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

KASSIDY ARKWRIGHT,	)	
	)	CASE NO. 4:14CV0333
Plaintiff,	)	
	)	
v.	)	JUDGE BENITA Y. PEARSON
	)	
OXFORD LAW LLC, <i>et al.</i> ,	)	
	)	<b><u>ORDER OF DISMISSAL</u></b>
Defendants.	)	[Resolving <a href="#">ECF No. 2</a> ]

Pending is Plaintiff's Motion for Refund of Filing Fee ([ECF No. 2](#)).

Plaintiff requests a refund of the case filing fee. [28 U.S.C. § 1914\(a\)](#) provides in pertinent part:

The clerk of each district court shall require the parties instituting any civil action, suit or proceeding in such court, whether by original process, removal or otherwise, to pay a filing fee of \$350, . . . .

At its March 2013 session, the Judicial Conference amended the [Electronic Public Access Fee Schedule](#) for the appellate, district, and bankruptcy courts, the United States Court of Federal Claims, and the Judicial Panel on Multidistrict Litigation. The fee for filing a new civil case is \$400.00. *See* [Fee Schedule](#). On February 14, 2014, the Clerk collected \$400.00 from Plaintiff for the payment of fees. *See* Receipt number 0647-6407135.

The Court finds that Plaintiff is entitled to a return of the \$400.00 filing fee due to a clerical error in the filing of the Complaint ([ECF No. 1](#)) in this Court. Furthermore, there have been other instances in this Court where a District Judge ordered the refund of a filing fee. *See*,

(4:14CV0333)

*e.g.*, [Means v. Doe, No. 1:00CV1694 \(N.D. Ohio filed July 29, 2000\)](#) (Matia, C.J.) (citing *Hill v. Consolidated Rail Corp.*, No. 1:97CV3236 (N.D. Ohio filed Sept. 10, 1998) (Matia, J.)).

Accordingly, Plaintiff's Motion for Refund of Filing Fee ([ECF No. 2](#)) is granted. The Clerk of this Court is hereby authorized and directed to refund the \$400.00 filing fee to

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1100 Summer Street, 3rd Floor  
Stamford, CT 6905

The within matter is dismissed without prejudice pursuant to [Fed. R. Civ. P. 41\(a\)\(2\)](#).

IT IS SO ORDERED.

February 21, 2014  
Date

/s/ Benita Y. Pearson  
Benita Y. Pearson  
United States District Judge